



02-14-05 DAS/JIFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J.D. Sheldon Danielson)
Serial No.: 09/642,596)
Filed: 08/22/2000) Group Art Unit: 2878
Title: Sensing Device and Method for Measuring Emission) Pet. Examiner: R. Williams
Time Delay During Irradiation of Targeted Samples)
Utilizing Variable Phase Tracking)
Docket No.: 7023.02.03)

Renewed Petition under 37 CFR 1.137(b)

Mail Stop Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Petition for Revival for the subject application was filed on August 23, 2004, and said Petition Request was Dismissed pursuant to a Petitions Examiner Official Action dated January 18, 2005. This is a Request for Reconsideration pursuant to 37 CFR 1.137(b) in accordance with the procedure outlined in the Petitions Examiner Official Action dated January 18, 2005.

A copy of the original Petition is attached hereto. The Petition dismissal was based primarily on unacceptable drawings submitted with the original Petition. A copy of the Notice of Draftsperson's Patent Drawing Review dated 1/13/05 was enclosed with the Petition Examiner Action dated January 18, 2005 and indicates that the continuing objection to the drawings will be overcome by removing the page number from the figure legend in each of the Figures. Petitioner is enclosing new Figs. 1-6 herewith which comply with this request. Accordingly, the figures are now deemed fully in compliance with the Draftsperson's Patent Drawing Review and should now be acceptable. In addition, the original issue fee payment by Petitioner was apparently returned as being insufficient in funds. Petitioner was unaware of the insufficiency in the issue

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fee payment and is enclosing herewith the appropriate indicated fees as requested in the Petitions Examiner Official Action dated January 18, 2005.

Accordingly, inasmuch as all of the objections raised in the Petitions Examiner Official Action dated January 18, 2005 are fully addressed herewith, Petitioner hereby requests reconsideration of the Petition for Revival filed August 23, 2004 and issuance of the subject application.

Respectfully Submitted,

John L. Isaac
Registration No. 26,282
Attorney for Applicant

Date : 2/5/05

John L. Isaac, Esq.
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O I P E
FEB 11 2005
IN THE TRADEMARK OFFICE

TRANSMITTAL OF FORMAL DRAWINGS

Docket No.
7023.02.03

IN THE TRADEMARK OFFICE
Application Of: J.D. Sheldon Danielson

Serial No.	Filing Date	Confirmation No.	Examiner	Art Unit
09/642,596	08/22/2000	3156	R. Hanig	2878

Invention: SENSING DEVICE AND METHOD FOR MEASURING EMISSION TIME DELAY DURING IRRADIATION OF TARGETED SAMPLES UTILIZING VARIABLE PHASE TRACKING.

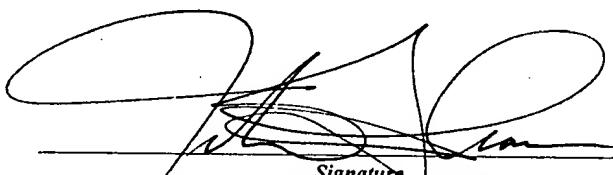
Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are:

Six (6) sheets of formal drawing(s) for this application.

Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c).



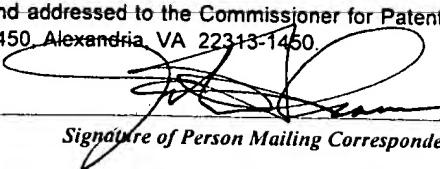
Signature

John L. Isaac, Reg. No. 26,282

Isaac & Associates
143 Union Blvd., Suite 900
Lakewood, Colorado 80228-1829
Telephone: 720-962-9300
Fax: 303-932-7111
Email: john@isaaclaw.com

Dated: Aug. 20, 2004

I certify that this document and attached formal drawings are being deposited on 8-20-04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

John L. Isaac

Typed or Printed Name of Person Mailing Correspondence



PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
7023.02.03First named inventor: **J.D. Sheldon Danielson**Application No.: **09/642596**Art Unit: **2878**Filed: **08/22/2000**Examiner: **Rich Hanig****Title: SENSING DEVICE AND METHOD FOR MEASURING EMISSION TIME DELAY DURING IRRADIATION
OF TARGETED SAMPLES UTILIZING VARIABLE PHASE TRACKING.**
Attention: Office of Petitions**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity - fee \$ 1,330 (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of New formal drawings (identify type of reply):
 has been filed previously on _____.
 is enclosed herewith.

B. The issue fee of \$ 1,280.
 has been paid previously on 12/31/2002.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

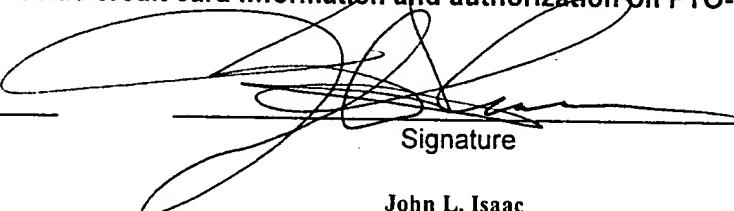
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Aug. 20, 2004

Date



Signature

Telephone Number: 720-962-9300

John L. Isaac

Type or printed name

143 Union Blvd., Suite 900

Address

Lakewood, CO 8022801829

Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: Formal Drawings

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

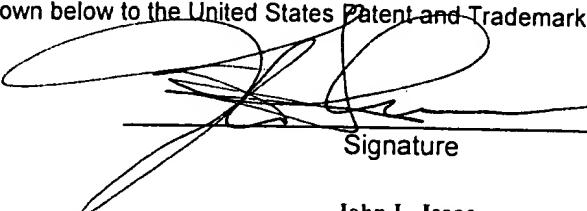
I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Aug. 20, 2004

Date



Signature

John L. Isaac

Type or printed name of person signing certificate

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Docket No.

Applicant(s): J.D. Sheldon Danielson

7023.03.02

Serial No.

09/642,596

Filing Date

08/22/2000

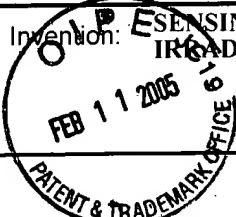
Examiner

Hanig

Group Art Unit

2878

Invention: **IR SENSING DEVICE AND METHOD FOR MEASURING EMISSION TIME DELAY DURING
IRRADIATION OF TARGETED SAMPLES UTILIZING VARIABLE PHASE TRACKING**



I hereby certify that the following correspondence:

Renewed Petition for Revival under 37 CFR 1.137(b)*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

(Date)

John L. Isaac

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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Note: Each paper must have its own certificate of mailing.

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FEB 11 2005
PATENT & TRADEMARK OFFICE

TRANSMITTAL OF FORMAL DRAWINGS

Docket No.
7023.02.03

In Re Application Of: J.D. Sheldon Danielson

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/642,596	08/22/2000	R. Hanig		2878	3156

Invention: SENSING DEVICE AND METHOD FOR MEASURING EMISSION TIME DELAY DURING IRRADIATION OF TARGETED SAMPLES UTILIZING VARIABLE PHASE TRACKING.

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Signature

John L. Isaac, Reg. No. 26,282

Dated: 2-5-05

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143 Union Blvd., Suite 900
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Telephone: 720-962-9300
Fax: 303-932-7111
Email: john@isaaclaw.com

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

John L. Isaac

Typed or Printed Name of Person Mailing Correspondence



PHOTONSENSE, LLC
1880 S. FLATIRON COURT, SUITE B
BOULDER, CO 80301
PH. (303) 449-8349

PAY TO THE
ORDER OF

the Commissioner of Patents

One Thousand Three Hundred Thirty and

7/16/04
\$1330.00

23-101
1020

9812

DOLLARS

MEMO

Petition to revive an international
application abandoned unintentionally
under 37 CFR 1.137(b)

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1485173676

Matthew Bly

MP

Isaac & Associates
143 Union Blvd., Suite 900
Lakewood, CO 80228-1829



John L. Isaac, Esq.
Isaac & Associates
143 Union Blvd., Suite 900
Lakewood, CO 80228-1829



RECEIVED

PETITION TO REVIVE for Patent Application entitled:
SENSING SENSING DEVICE AND METHOD FOR
MEASURING EMISSION TIME DELAY DURING
IRRADIATION OF TARGETED SAMPLES UTILIZING
VARIABLE PHASE TRACKING.

Attorney Docket No.: 7023.02.03

Serial No.: 09/642,596

Including:

1. Petition to Revive under 37 C.F.R. 1.137(b).
2. Petition fee-Client Check for \$1330.00
3. Reply to Request for Formal Drawings
4. Six (6) formal drawings.
5. First Class Mail Certification.
6. Post Card Receipt

DATE: _____

